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24 Lead Counsel in the *Maine State* action only

25 UNITED STATES DISTRICT COURT
26 CENTRAL DISTRICT OF CALIFORNIA

27 MAINE STATE RETIREMENT
28 SYSTEM, Individually and On Behalf
of All Others Similarly Situated,

29 Plaintiff,

30 vs.

31 COUNTRYWIDE FINANCIAL
32 CORPORATION, et al.,

33 Defendants.

34 } No. 2:10-cv-00302-MRP(MANx)
35 } CLASS ACTION
36 } NOTICE OF AMENDMENT OF
37 } EXHIBIT 1 TO [PROPOSED] FINAL
38 } JUDGMENT AND ORDER OF
39 } DISMISSAL WITH PREJUDICE

40 [Caption continued on following page.]

1 On October 21, 2013, Plaintiffs submitted their Reply in Support of Plaintiffs'
2 Motions for Final Approval of Class Action Settlement, Plan of Allocation of
3 Settlement Proceeds, and Request for an Award of Attorneys' Fees and Expenses
4 ("Reply"). *See* Dkt. No. 280 in Case No. 2:12-cv-05125; Dkt. No. 543 in Case No.
5 2:10-cv-00302; Dkt. No. 261 in Case No. 2:12-cv-05122. As part of Plaintiffs'
6 submission, they filed a [Proposed] Final Judgment and Order of Dismissal with
7 Prejudice, which included a list of the individuals and entities requesting exclusion
8 from the Class as Exhibit 1. *See* Dkt. No. 280-1 in Case No. 2:12-cv-05125; Dkt. No.
9 543-1 in Case No. 2:10-cv-00302; Dkt. No. 261-1 in Case No. 2:12-cv-05122. The
10 list included in Exhibit 1 was arranged by individual/entity and, thus, totaled 440
11 separate exclusion requests. Plaintiffs' Reply, however, identified the exclusion
12 requests by the number of letters received, which totaled 117. Thus, to be consistent
13 with Plaintiffs' Reply and to alleviate any confusion, Plaintiffs attach Exhibit 1 hereto,
14 which lists the requests for exclusion by letter, and contains other minor revisions
15 based on information in those letters. Plaintiffs request that this revised Exhibit 1
16 replace that filed on October 21, 2013.

17 Additionally, as set forth in the Supplemental Declaration of Jose Fraga
18 Regarding (A) Mailing of the Notice and Proof of Claim Form; and (B) Report on
19 Requests for Exclusion Received (Dkt. No. 282 in Case No. 2:12-cv-05125; Dkt. No.
20 545 in Case No. 2:10-cv-00302; Dkt. No. 263 in Case No. 2:12-cv-05122), 116 timely
21 requests for exclusion and one (1) late request for exclusion were received. The late
22 request was submitted by Denali State Bank ("Denali") and was postmarked one day
23 after the request for exclusion deadline. Denali seeks to be excluded from the Class
24 for purposes of the settlement, however, because its request was postmarked after the
25 exclusion deadline the Court must determine whether to allow Denali to opt-out. For
26 the Court's convenience, Plaintiffs include two (2) versions of Exhibit 1 hereto. One
27 version of Exhibit 1 lists Denali as a timely exclusion and the other does not.

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1 Plaintiffs respectfully request that the Court enter the appropriate version of the
2 attached Exhibit 1 as an exhibit to the Final Judgment, depending on whether Denali
3 is ruled to have validly opted out of the Class, and that the Court disregard the Exhibit
4 1 originally filed on October 21, 2013.

5 DATED: October 23, 2013

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on October 23, 2013, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I caused to be mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on October 23, 2013.

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**Mailing Information for a Case 2:12-cv-05125-MRP-MAN David H Luther et al v.
Countrywide Financial Corporation et al**

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